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## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

P-2180

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on EFS-web -- 27 March 2007

Signature /James D. Ivey/

Typed or printed name James D. Ivey

Application Number

10/055,594

Filed

22 Jan 2002

First Named Inventor

Roland E. Williams

Art Unit

2626

Examiner

Huyen X. Vo

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☒ attorney or agent of record.  
Registration number 37,016

- ☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

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27 March 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b><i>REASONS IN SUPPORT OF REQUEST FOR PRE-APPEAL CONFERENCE</i></b>	Serial Number	10/055,594
	Filing Date	January 22, 2002
	Title	Language Module and Method of Use with Text Processing Devices
	First Named Inventor	Roland E. Williams
	Examiner	Huyen X. Vo
	Art Unit	2626
	Attorney Docket	P-2180

Mail Stop Appeals  
Hon. Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

March 27, 2007

Dear Sirs:

**REASONS IN SUPPORT OF REQUEST FOR PRE-APPEAL CONFERENCE**

The Examiner rejected Claims 1-10 as being unpatentable over Ito (U.S. Patent 6,243,675), alone or in view of Bellegarda et al. (U.S. Patent 6,208,971). Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of this rejection.

Claim 1 recites “A language processing and memory module (i) which is physically attachable to and detachable from an appliance, (ii) which is configured to communicate directly with the appliance when so attached without the use of a network which extends outside the appliance, and (iii) which is configured to perform language-specific tasks at the request of the appliance” The Examiner asserts that the quoted language is all “preamble” and is therefore given no patentable weight. Applicant respectfully submits that the language is the body of the claim, there being no preamble and no delineating “comprising”. Claim 1 does not recite a method but instead recites, on its face, “a language processing and memory module.” The remainder of the language quoted above recites structure and functionality of the “language processing and memory module.”

Moreover, Applicant has relied on the substance of the quoted language in a previous

Amendment. “[C]lear reliance on the preamble during prosecution to distinguish the claimed invention from the prior art transforms the preamble into a claim limitation because such reliance indicates use of the preamble to define, in part, the claimed invention.” (*Catalina Mktg. Int'l v. Coolsavings.com, Inc.*, 289 F.3d at 808-09, 62 USPQ2d at 1785.) Thus, reliance by Applicant on language deemed by the Examiner to be “preamble” gives the relied upon language patentable weight.

In rejecting Claim 1, the Examiner cited Ito as teaching a physically attachable and detachable module, despite giving such language no patentable weight. The Examiner cites only dictionary 30 of Figure 1 as the teaching of Ito that dictionary 30 is detachable and attachable. Applicant finds no teaching in Ito, and respectfully requests specific identification of the teaching within Ito, that dictionary 30 is physically detachable.

Applicant respectfully submits that Ito suggests away from dictionary 30 being detachable. Ito relies on the availability of multiple languages to automatically detect a language used by the user. This is taught in Figure 4 at steps S120, S140, and S160 and in the accompanying text in Ito's specification. To properly identify the particular language used by the user, Ito seems to prefer that all possible languages be available to speech control 11 at all times. In contrast, the motivation behind Applicant's detachable language module is described at Page 4, lines 11-16:

Thus, an appliance can provide a textual interface and be made truly language-independent. To implement a specific language, a language module specific to that language is merely installed in the appliance. In addition, by providing a processing module whose primary function is language-specific processing and which implements a specific interface, such language modules can be used in various types of appliances to port a specific language from one appliance to another.

Ito therefore neither teaches nor suggests “A language processing and memory module (i) which is physically attachable to and detachable from an appliance.” Claim 1 is therefore allowable over Ito.

Claim 1 is allowable over Ito for another, independent reason. Claim 1 recites that the language processing and memory module “is configured to perform language-specific tasks at the request of the appliance.” Even assuming *arguendo* that dictionary 30 of Ito is detachable, dictionary 30 performs no processing but rather merely stores words for comparison and

recognition by a separate processing module, namely, speech control 11. At column 4, lines 52-67, Ito describes that speech control unit 11 performs all language processing (“compares ... to determine the similarities” and “generates ... speech”). Figure 1 of Ito shows speech control 11 to be included in central control 10 that performs all the substantive processing of the appliance itself, namely, display, position detection, processing of map data, and processing of user input devices. Thus, Ito suggests away from having language processing performed by a detachable module.

Claim 1 is therefore allowable over Ito for these two independent reasons. Claims 2-7 and 10 depend from Claim 1 and are therefore allowable for the same reasons. The Examiner has cited no teaching or suggestion in Bellegarda et al. that is missing from Ito as discussed above. Accordingly, Claims 8-9 are allowable over any combination of Ito and Bellegarda et al., assuming *arguendo* that such combination is properly motivated in the prior art.

Applicant therefore respectfully submits that all pending claims are allowable over any combination of Ito and Bellegarda et al., assuming *arguendo* that such combination is properly motivated in the prior art. Claims 1-10 are therefore allowable.

Respectfully submitted,

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